

Name of Person Filing: _____
Your Address: _____
Your City, State, Zip Code: _____
Your Telephone Number: _____
ATLAS Number (if applicable): _____
Attorney Bar Number (if applicable): _____
Representing ☐ Self, Without a Lawyer or ☐ Petitioner or ☐ Respondent

SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

Name of Petitioner

Case Number: _____

AND

PETITION FOR LEGAL SEPARATION WITH CHILDREN

Name of Respondent

STATEMENTS MADE TO THE COURT, UNDER OATH:

GENERAL INFORMATION:

1. INFORMATION ABOUT ME, THE PETITIONER

Name: _____
Address: _____
Date of Birth: _____
Social Security Number: _____
Job Title: _____
I have lived in Arizona for _____ years and/or _____ months in a row.

2. INFORMATION ABOUT, MY SPOUSE, THE RESPONDENT:

Name: _____
Address: _____
Date of Birth: _____
Social Security Number: _____
Job Title: _____
Respondent has lived in Arizona for _____ years and/or _____ months in a row.

3. INFORMATION ABOUT MY MARRIAGE:

Date of Marriage: _____
City and state, or country where we were married: _____

4. CHILDREN OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD (check one box):

- ☐ There are **no** children under the age of 18 either born to, or adopted by, the parties.
NOTE: IF YOU CHECKED THIS BOX, STOP. YOU SHOULD BE USING THE PETITION PACKET TO GET A DIVORCE WITHOUT CHILDREN.
- ☐ The following child(ren) are under age 18 and were born to or adopted by my spouse and me:
(Attach extra pages if necessary).

Child's Name: _____
Social Security No.: _____ Birthdate: _____
Address: _____
Length of Time at Address: _____

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Social Security No.: _____ Birthdate: _____
Address: _____
Length of Time at Address: _____

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Address: _____
Length of Time at Address: _____

Child's Name: _____
Social Security No.: _____ Birthdate: _____
Address: _____
Length of Time at Address: _____

5. **RESIDENCY REQUIREMENT.** When I file this document with the Court, either ☐ I or ☐ my spouse live or are stationed while a member of the Armed Forces, in Arizona. **(WARNING: If this statement is not true, you cannot file for legal separation until it becomes true.)**
6. **DESIRE TO LIVE SEPARATE AND APART.** My marriage is irretrievably broken (my marriage is over) or I and/or my spouse desire to live separate and apart. (This must be a true statement or you cannot file for a Petition for Legal Separation.)
7. **DOMESTIC VIOLENCE.** (Check the box that is true if you intend to ask for joint custody):
Significant domestic violence ☐ has OR ☐ has not occurred during this marriage.
8. **PREGNANCY.**
☐ Wife is not pregnant, OR
☐ Wife is pregnant
The baby is due on _____ (date), (and, check one box below):
☐ The Petitioner and Respondent are the parents of the child, OR
☐ Petitioner is not the parent of the child, OR.
☐ Respondent is not the parent of the child.
9. **SPOUSAL MAINTENANCE (ALIMONY).** (Check the box that applies to you):
☐ Neither party is entitled to Spousal Maintenance (alimony), OR
☐ Petitioner OR ☐ Respondent is entitled to Spousal Maintenance because: (Check one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance.)
☐ Person lacks sufficient property to provide for his or her reasonable needs;
☐ Person is unable to support himself or herself through appropriate employment;
☐ Person is the custodian of a child(ren) whose age or condition is such that the person should not be required to seek employment outside the home;
☐ Person lacks earning ability in the labor market adequate to support himself or herself; and,
☐ Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself or herself.

INFORMATION ABOUT PROPERTY AND DEBTS:

10(a) PROPERTY ACQUIRED DURING THE MARRIAGE. (Check one box)

- ☐ My spouse and I did not acquire community property during the marriage, OR
- ☐ My spouse and I acquired community property during our marriage, and we should divide it as follows: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

WARNING: You must be specific. You must describe the property that should go to you and then check the box, and describe the property that should go to your spouse, and check the box. For example, under household furnishings you could say, blue and white living room sofa, and then check the box to say whether it should go to you or to your spouse. Never list an item and then check both the Petitioner box and the Respondent box.

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY:	You, Petitioner Respondent	Your Spouse,
<input type="checkbox"/> Real estate at: _____	<input type="checkbox"/>	<input type="checkbox"/>
Legal Description: _____		

<input type="checkbox"/> Real estate at: _____	<input type="checkbox"/>	<input type="checkbox"/>
Legal Description: _____		

<input type="checkbox"/> Household furniture and appliances:		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Household furnishings:		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Other items:		
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

	You, Petitioner	Your Spouse, Respondent
<input type="checkbox"/> Pension/retirement fund/profit sharing/stock plan/401K:	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY:	You, Petitioner	Your Spouse, Respondent
<input type="checkbox"/> Motor vehicles:		
Make _____	<input type="checkbox"/>	<input type="checkbox"/>
Model _____		
VIN _____		
Lien Holder _____		
 Make _____	<input type="checkbox"/>	<input type="checkbox"/>
Model _____		
VIN _____		
Lien Holder _____		

10(b) PROPERTY ACQUIRED BEFORE MARRIAGE. (Check all boxes that apply.)

- ☐ I do not have any property that I brought into the marriage (separate property).
- ☐ My spouse, the Respondent does not have any property that he or she brought into the marriage. (separate property).
- ☐ I have property that I brought into the marriage (separate property). I want this property awarded to me as described below.
- ☐ My spouse, the Respondent, has property that he or she brought into the marriage. I want this property awarded to my spouse as described below.

Separate Property: (List the property and the value of the property, and check the box to tell the Court who should get the property.)

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY	You, Petitioner	Your Spouse, Respondent
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

11(a) DEBTS INCURRED DURING THE MARRIAGE. (check one box)

- ☐ My spouse and I did not incur any community debts during the marriage, OR
- ☐ We should divide the responsibility for the community debts incurred during the marriage as follows: _____

DESCRIPTION OF DEBT/
AMOUNT OF DEBT:

You, Petitioner

Your Spouse, Respondent

11(b) SEPARATE DEBTS. (Check all boxes that apply.)

- ☐ My spouse and I do not have any debts that were incurred prior to the marriage, OR
- ☐ I have separate debt that I incurred prior to the marriage which should be paid by me as described below:
- ☐ My spouse has separate debt that he or she incurred prior to the marriage which should be paid by my spouse as described below:

DESCRIPTION OF DEBT/
AMOUNT OF DEBT:

You, Petitioner

Your Spouse, Respondent

12. TAX RETURNS. After the Judge or Commissioner signs the Order of Legal Separation, the parties will file state and federal taxes as follows:

13. WRITTEN AGREEMENT. CHECK ONLY IF TRUE:

- ☐ My spouse and I have a written agreement signed by both of us about the maintenance of a spouse, division of property/debt, custody, parenting time, and child support for our child(ren), and I have attached a copy of the written agreement.

OTHER STATEMENTS TO THE COURT UNDER OATH: You must tell the court the truth. Lying to the court is a crime and the court can punish you for lying. To file for legal separation, you must be able to tell the Court that the following statements are true. If the statements are not true, you cannot file for legal separation until the statements are true. Check the box in front of each statement if the statement is true. If you do not understand what the statements mean, read the instructions that go along with the Petition for Legal Separation.

14. ☐ TRUE The conciliation requirements under Arizona law either do not apply or have been met.

15. ☐ TRUE This court has jurisdiction to decide child custody matters under Arizona law.

REQUESTS TO THE COURT:

- A. LEGAL SEPARATION:** An order of legal separation.
- B. SPOUSAL MAINTENANCE/SUPPORT (ALIMONY):** ☐ Order neither party to pay spousal maintenance **OR** ☐ Order spousal maintenance/support to be paid by ☐ Petitioner, or ☐ Respondent through the Clerk of the Court in the amount of _____ per month, and the statutory fee, beginning with the first day of the month after the Judge or Commissioner signs the Legal Separation and continuing until the person receiving the spousal maintenance/support is deceased, or for a period of _____ months.
- C. COMMUNITY PROPERTY:** Make a fair division of all community property as requested in this Petition.
- D. COMMUNITY DEBTS:** Order each party to pay community debts as requested in the Petition, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by him or her since the parties separation on (date): _____.
- E. SEPARATE PROPERTY:** Award each party his or her separate property.
- F. CHILD CUSTODY AND PARENTING TIME (VISITATION):** Award custody and parenting time of the children common to the parties, and less than 18 years as follows: (Check either the sole custody box or the joint custody box. If you check the sole custody box, check only one box related to parenting time.)
- F.1.** ☐ **SOLE CUSTODY.** Mother is awarded the sole custody of _____ and/or Father is awarded the sole custody of _____ subject to parenting time as follows:
- ☐ Reasonable parenting time rights to the parent, who does not have custody, as will be described in the Parenting Plan attached to the Order of Legal Separation. **OR**
- ☐ Reasonable parenting time rights to the parent who does not have custody pursuant to the Maricopa County Parent Access/Parenting time Guidelines.
- ☐ Supervised parenting time between the children and ☐ Mother **OR** ☐ Father is in the best interest of the children because: (Explain the reasons for supervision or no parenting time. Use extra paper if necessary.),
- a. Name of the person who will supervise: _____
- b. Requested restrictions on parenting time: (explain here) _____
- _____
- c. The cost of supervised parent/child parenting time will be paid by ☐ the parent being supervised ☐ the parent having custody; ☐ shared equally by the parties.
- ☐ No parenting time rights to the parent who does not have custody is in the best interests of the child(ren) because: (Explain the reasons for no parenting time. Use extra paper if necessary):

OR

F.2. ☐ **JOINT CUSTODY.** Mother and Father agree to act as joint custodians of the child(ren) as set forth in the Parenting Plan signed by the parties, if the Court agrees with the Parenting Plan. (Remember, there can be no significant domestic violence in your marriage.)

G. CHILD SUPPORT: Order that child support will be paid by: ☐ Mother OR ☐ Father in a reasonable amount as determined by the Court under the Arizona Child Support Guidelines. (I will attach the Child Support Order to the Decree). Support payments will begin on the first day of the first month following the entry of the divorce decree. These payments, and a fee for handling, will be paid through the Clerk of the Court and collected by automatic wage assignment.

H. INSURANCE AND HEALTH CARE EXPENSES FOR CHILDREN: Order that ☐ Mother OR ☐ Father will pay for the health, medical, and dental insurance coverage for the child(ren) common to the parties and under the age of 18 years. Mother and Father will pay for all reasonable unreimbursed medical, dental, and health-related expenses incurred for the child(ren) in proportion to their respective incomes as described in the Parents' Worksheet, which I will submit with the Decree.

I. TAX EXEMPTION: The parties will claim the children as income tax dependency exemptions on federal and state income tax returns as follows:

Parent entitled to claim	Name of child	Current tax year	Later tax years
<input type="checkbox"/> Mother <input type="checkbox"/> Father			
<input type="checkbox"/> Mother <input type="checkbox"/> Father			
<input type="checkbox"/> Mother <input type="checkbox"/> Father			
<input type="checkbox"/> Mother <input type="checkbox"/> Father			

J. OTHER ORDERS I AM REQUESTING (Explain request here):

OATH AND VERIFICATION OF PETITIONER:

STATE OF ARIZONA)
County of Maricopa)ss.

I, the Petitioner, being duly sworn and under oath, state that I have read this Petition. All the statements in the Petition are true, correct, and complete to the best of my knowledge and belief.

SIGNED: _____
Petitioner's Signature

Subscribed and sworn to before me this date: _____.
(Month, Day, Year)

My Commission Expires: _____ NOTARY PUBLIC: _____